

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATURAL RESOURCES MEDIA
& TECHNOLOGY GROUP, LLC,

Plaintiff,

-against-

SNOOP YOUTH FOOTBALL LEAGUE
FOUNDATION, THE FIRM, INC., d/b/a "THE
FIRM," and CONSTANCE SHWARTZ,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/21/07

Case No. 07 CV 7701 (SAS) (AJP)

STIPULATION TO DISMISS
DEFENDANT CONSTANCE
SCHWARTZ WITHOUT
PREJUDICE; [PROPOSED] ORDER
THEREON

This stipulation is made by and between Plaintiff Natural Resources Media & Technology Group, LLC ("Natural Resources"), on the one hand, and Defendant Constance Schwartz ("Schwartz"), on the other hand, through their respective undersigned counsel of record, with reference to the following facts:

WHEREAS, on or about July 31, 2007, Natural Resources served Schwartz with a Supplemented Summons and Supplemented Complaint brought in New York Supreme Court, New York County, that includes claims against Schwartz for alleged tortious interference with contractual relations and defamation (the "Complaint");

WHEREAS, on August 29, 2007, Schwartz and co-defendant The Firm, Inc. ("The Firm") removed said action to this Court.

WHEREAS, on September 6, 2007, Schwartz and The Firm filed a motion to dismiss the Complaint on the grounds that: (1) Schwartz is not subject to personal jurisdiction in New York; (2) venue is not proper in New York; and (3) the Complaint fails to state a claim upon which relief may be granted (the "Motion");

WHEREAS, Schwartz seeks to be dismissed from this action without prejudice; and

WHEREAS, Natural Resources seeks to dismiss Schwartz from this action without prejudice.

BASED UPON THE FOREGOING, THE PARTIES HEREBY STIPULATE and request this Honorable Court to order that:

1. Schwartz is hereby dismissed without prejudice from this action;
2. The Firm agrees to waive any arguments it may have under Fed. R. Civ. P. 12(b)(3) to challenge venue in New York;
3. All arguments regarding jurisdiction and venue in the Motion shall be deemed moot, but Schwartz shall not be deemed to have waived any arguments related to personal jurisdiction in New York; and
4. The Motion shall stay on calendar, but only as to The Firm's challenge of Natural Resource's claims pursuant to Fed. R. Civ. P. 12(b)(6).
5. Natural Resources's opposition to the Motion shall be served on counsel to The Firm no later than October 9, 2007.
6. The Firm's reply papers, if any, shall be served on counsel to Natural Resources no later than October 16, 2007.
7. Counsel for The Firm shall be responsible for electronic filing of all motion papers by no later than October 16, 2007, along with courtesy copies of all papers to the Court.
8. For purposes of this stipulation, facsimile signatures shall be deemed as originals.

Dated: New York, New York
September 14, 2007

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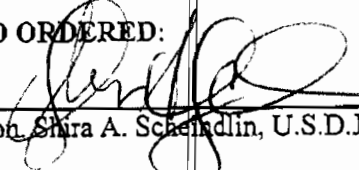
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*Attorneys for Defendants
The Firm, Inc., d/b/a "The Firm,"
and Constance Schwartz*

DATED:

SO ORDERED:


Hon. Shira A. Scheindlin, U.S.D.J.

9/21/07